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SFR INVESTMENTS POOL I, LLC, a Nevad
limited liability company,

Counterclaimant/Cross-claimant,

v.

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BANK OF AMERICA, N.A., UNITED STATES OF AMERICA; NATIONSTAR MORTGAGE, LLC, a Delaware limited liability company; and RICHARD SILVERSTEIN, an individual; SANDRA SILVERSTEIN, an individual; DOES 1 through 10, and ROE BUSINESS ENTITIES 1 through 10, inclusive,

> Counter/Cross-Claimant, Cross **Defendants**

COMES NOW CROSS-DEFENDANT DOUBLE DIAMOND RANCH MASTER ASSOCIATION ("Double Diamond") by and through its counsel of record, Christopher A. Lund, Esq., of TYSON & MENDES and hereby submits its limited opposition to Bank of America's Motion for Summary Judgment as follows:

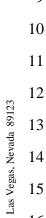
I. **ARGUMENT**

Cross-Defendant Double Diamond does not claim an ownership interest in the property that it the subject of this case nor does it take a position regarding whether its foreclosure sale extinguished Defendant/Crossclaimant BANK OF AMERICA, N.A.'s ("Bank of America") alleged interest in the subject property.

Although Bank of America states at the beginning of its Motion for Summary Judgment ("Motion") that it "moves for summary judgment on all claims in this matter," based on the arguments raised in its Motion, it appears Bank of America is only seeking summary judgment on its claims for Quiet Title and Declaratory Relief. Bank of America does not appear to be seeking judgment on its alternative remedy claims directed against Double Diamond in its cross claims. These alternative remedy theories include Bank of America's Fourth Cause of Action for Unjust Enrichment, its Fifth Cause of Action for Tortious Interference with Contractual Relations, its Sixth Cause of Action for Breach of the Duty of Good Faith and its Seventh Cause of Action for Wrongful Foreclosure.

All of the aforementioned alternative remedy theories Bank of America asserts against

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Double Diamond involve disputed questions of fact. Furthermore, Bank of America did not lay out arguments in its Motion showing it is entitled to relief on its alternative remedy theories. In addition, they are only relevant if the Court finds that Double Diamond's foreclosure sale extinguished Bank of America's alleged interest in the property. If the Court found against Bank of America regarding its Quiet Title and Declaratory Relief Claims, whether Bank of America sustained any damage from its loss of interest in the subject property and the amount of any such damages involved disputed questions of fact. Therefore, Bank of America rightfully does not seek summary judgment regarding the aforementioned causes of action.

Assuming the Court agrees with this interpretation of Bank of America's Motion for Summary Judgment, because Double Diamond claims no ownership interest in the subject property, it does not take any position regarding the outcome of SFR Investment Pool 1, LLC's and Bank of America's competing motions for summary judgment regarding their Quiet Title and Declaratory Relief Claims.

If the Court grants Bank of America's Motion for Summary Judgment, Double Diamond respectfully submits that the Court should dismiss Bank of America's remaining causes of action asserted in its Crossclaim, on the grounds that they are rendered moot.

DATED this 7th day of August, 2017.

TYSON & MENDES LLP

/s/ Christopher A. Lund

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Double Diamond Ranch Master Association

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CERTIFICATE OF SERVICE

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day of August, 2017 a copy of the foregoing CROSS-DEFENDANT DOUBLE DIAMOND

The undersigned, an employee of Tyson & Mendes LLP, hereby certifies that on the 7th

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ASSOCIATION'S OPPOSITION TO BANK OF AMERICA'S RANCH MASTER

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MOTION FOR SUMMARY JUDGMENT was made by electronic service to all interested

7 parties.

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Treasury, Internal Revenue Service

/s/ Kathryn Savage-Koehm An employee of Tyson & Mendes LLP

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